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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.M.C. 3755/2016**

LAXMAN KUMAR & ORS

..... Petitioners

Represented by: Mr. Munish Chhoker,
Advocate.

versus

STATE (GOVT OF NCT OF DELHI) & ANR Respondents

Represented by: Mr. Ashok K. Garg, APP for
the State with SI Shiv Charan,
PS Anand Parbat.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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05.10.2016

Crl. M.A. No. 15721/2016 (Exemption)

Allowed, subject to all just exceptions.

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1. By the present petition the petitioners seek quashing of FIR No.86/2011 under Sections 452/354/323/353/186/506/34 IPC registered at PS Anand Parbat, Delhi on the complaint of Brij Bhushan on the ground that the parties have settled the matter.

2. In the FIR registered on the complaint of Brij Bhushan, it was alleged that his nephew, that is, Chand was borrowing a sum of ₹2,500/- per day from the accused and thus the amount due totalled upto ₹90,000/-. The accused demanded the payment immediately and as they were drunk a scuffle took place. The accused damaged all the articles lying in the kitchen,

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took out the pipe of gas cylinder and threatened to kill him and burn his children. In the meantime, brother of the complainant and sister-in-law reached the spot and when Lakshman, that is, the petitioner No. 1 scuffled with the sister-in-law, he tore her wearing blouse and misbehaved with her. When the complainant and his family objected to this, the accused called his brother Sonu and other friends. Accused Lakshman hit his head against the glass screen of a car because of which the front glass of the car broke and threatened the complainant. On this the complainant called at 100 number and when the PCR van reached, accused Sonu and Lakshman also misbehaved with ASI Amir Singh, caught his collar and pushed him.

3. Considering the fact that in the above noted case, only the complainant has been impleaded as a party and besides the complainant there are other victims also and one of the victim is a police officer ASI Amir Singh, due to which Sections 186 and 353 IPC have been invoked, and necessary sanction for the said prosecution has been obtained, the FIR cannot be quashed on the basis of the compromise with the complainant.

4. Petition is dismissed.

MUKTA GUPTA, J.

OCTOBER 05, 2016

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